

From needles and thread to legislative mandates: New Hampshire addresses the needs of women in custody.

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Although a number of state correctional agencies do have or have had an administrator of female offenders (see Table 1), last year the New Hampshire General Court (the legislative branch of the New Hampshire state government) legislatively mandated the creation of this position. It all began with the donation of sewing needles and thread to the state women's prison.

When this donation was made to the New Hampshire State Prison for Women in 2003, Ruth Griffin of the New Hampshire Executive Council (1) wondered aloud whether sewing was a skill in demand in the labor market. The question generated a discussion among members of the executive council as to what educational and training programs were available to incarcerated women. Thus, Gov. Craig Benson tasked the New Hampshire Commission on the Status of Women with providing the answer.

Findings From the Commission

New Hampshire's commission is not unlike many other such state commissions. It has a small budget, two paid staff members and 15 appointed commissioners who volunteer their time. The principal goal of these commissions is to identify and address inequities experienced by women and girls. The New Hampshire commission, similar to other state commissions for women, has also specifically addressed parity issues involving female offenders, through actions such as producing reports and influencing legislation.

Despite limited resources, the commission investigated and produced the report *Double Jeopardy: A Report on the Training and Educational Programs for New Hampshire's Female Offenders*. (2) The commission drew on a number of resources in developing its report, not the least of which was the professional expertise of three New Hampshire Department of

Corrections commissioners and the staff and administrators from the State Prison for Women, located in Goffstown, N.H. Technical assistance from the National Institute of Corrections was deemed invaluable; however, "listening sessions" held with the incarcerated women were cited by all as the catalyst for the report. In these sessions, commission members and legislators met with female inmates to learn about their experiences, needs and what they thought was needed to increase their likelihood of success upon release. By learning about the problems women face, commission members discovered topic areas to focus on in their report--educational and vocational opportunities, reuniting with children, and finding jobs and housing. This process allowed policy-makers to empathize with the inmates and inspired them to work to address the needs of female offenders.

After the conclusion of the listening sessions, consultations with correctional administrators and working with local academics to compile current research, the consensus was that the facility's administration and staff were talented and dedicated, but were under-resourced, as illustrated by the following conditions in 2003:

- * The DOC spent \$4,564 less annually per female inmate at the State Prison for Women than male offenders at the New Hampshire State Prison for Men and \$1,906 less than males incarcerated at the Northern Correctional Facility;
- * The women's prison was the only institution in the DOC system that did not offer a state-funded parenting program;
- * There was no on-site medical unit in the women's prison;
- * The women's prison was out of compliance with ADA regulations for its aging population;
- * There was no state-funded programming for female victims of abuse, but state-run and state-funded domestic violence programs were provided to male inmates; and
- * Female offenders were not afforded the opportunity to work in state-use industries, and there was a limited vocational program.

As the report revealed, it was not about what the men had but about what the women did not have. There was unanimity among members of the commission regarding the underlying reason for the lack of parity: Economies of scale through the years had led to a neglect of services for female offenders, who made up only a small fraction of the incarcerated population overall. Due to the size of the women's population (fewer than 200 in 2003), it was difficult for administrators to secure and retain resources to meet these offenders' needs. For example, if budgetary constraints required each institution to cut a single vocational program, the State Prison for Men would have seven remaining programs and the Northern Correctional Facility would have two. In contrast, the female institution's entire vocational program would be eliminated because the facility only had one program.

Beyond the findings, the report included three recommendations:

- * Implement a comprehensive data-collection effort on female offenders to establish a foundation for targeting resources and building gender-responsive policy and practice;

- * Establish a statewide planning initiative for the deliberate and gender-responsive management of female offenders, with membership drawn from all aspects of the criminal justice system and with the aim of effectively incorporating appropriate gender-responsive policies and procedures into the operational protocol of the DOC; and
- * Develop strategies for gender-specific training for all DOC personnel, especially those working with female offenders.

Capitalizing on the Report's Results

After delivering the final report to the governor, the executive council, the DOC and the state Legislature, the commission used the report as a centerpiece of a public education campaign on the status of female offenders in the state. Among the efforts were a presentation at the attorney general's state-wide domestic violence conference; participating on a panel discussion at a New England seminar on incarcerated women's health, hosted by the U.S. Office of Women's Health; presenting the findings at an international conference in Washington, D.C., convened by the Institute for Women's Policy Research; hosting a policy briefing luncheon for female legislators; and hosting a breakfast meeting with high-level stakeholders from the DOC and national experts from the GAINS Center. The commission also established relationships with key community stakeholders such as the Citizen's Advisory Committee of the women's prison, the Task Force on Women and Addiction, and the Coalition Against Domestic and Sexual Violence.

These extensive outreach efforts resulted in building the political will within the state to act on the recommendations of the report. In November 2005, the DOC appointed a mental health program coordinator for female offenders at the women's prison and at Shea Farms, the women's halfway house in Concord, N.H. A grant from the Children's Trust Fund made an expansion of the Family Connections Center possible and allowed for implementation of an on-site parenting program for the halfway house. In addition, a four-day training program to address the needs of women in recovery from substance abuse, domestic or sexual violence, childhood trauma, and mental health disorders was implemented.

Seizing the opportunity to capitalize on the public support that had been generated by the commission, its report and outreach efforts, state Sen. Sylvia Larsen took the leadership role in moving the issue to the next level by sponsoring Senate Bill 262. This bill included the recommendations found in *Double Jeopardy*. It also mandated the creation of an administrator of women offenders and family services (see Figure 1 for responsibilities of the position) within the DOC and created an interagency coordinating council on women offenders (see Figure 2 for the council's composition). The legislation received bipartisan support, was passed by the Legislature and was signed into law on June 12, 2006, by Gov. John H. Lynch.

The rationale for legislatively mandating the creation of the administrator position was based on the economy of scale noted in *Double Jeopardy*. Supporters felt that the position had to be legislated in order to prevent it from being eliminated at a later time due to budgetary constraints or due to the changing priorities of future DOC commissioners.

The Council of Work

The primary goal of the interagency coordinating council is to identify opportunities for

interagency cooperation in the management of female offenders. Specifically, standing councils in New Hampshire have the power to leverage expertise and resources from different executive branch agencies working with the same population at different times in the client's life course--before, during and after release. "We are a small state with limited resources; we get a lot done by way of standing councils," said Councilor Debora Pignatelli.

Other responsibilities of the council include:

- * Identifying opportunities for interagency cooperation in the effective management of female offenders;
- * Developing memoranda of understanding outlining in-kind services, or cooperation to provide services, to incarcerated women and their children;
- * Developing gender-specific treatment for co-occurring conditions and a continuity of treatment from incarceration to community;
- * Coordinating interagency case management and reentry planning;
- * Assessing the impact of incarceration on family relations during and after incarceration; and
- * Applying for and administering federal and private sector grants for furthering the duties of the council and the development of gender-responsive, trauma-informed management of female offenders and their children.

Although the DOC is currently recruiting for the administrator position, members of the interagency council have been appointed and have begun work in that capacity. Hopefully, a selection will be made by the end of summer 2007.

The council went to work within a month of the governor signing Senate Bill 262 into law. Council members spent the first few months educating themselves on the demographics and unique issues and concerns of female offenders in the state, such as the need for educational and vocational opportunities, medical and mental health services, and family reunification assistance. The council has solicited expert advice in these areas as well as conducted a tour of the women's prison and halfway house. Council members also were instrumental in creating the job description and requirements for the new administrator position. While recruitment for the administrator is under way, the council has focused on tracking proposed state legislation that will have an impact on the DOC and female offenders specifically. Proposed legislation currently under consideration involves bills related to alternative sentencing, community-based treatment and the DOC's operating budget.

Continuing Female Offender Awareness

Throughout the United States, the creation of female offender administrator positions and state councils or task forces on female offenders has been a trend in the past decade. The administrative positions have in some cases been in response to a Civil Rights of Institutionalized Persons Act or other lawsuit. Frequently, these positions are administratively situated so that the person reports directly to the secretary or commissioner of corrections. This is thought to be necessary to ensure that the needs of women in custody do not get

overlooked due to their overall small percentage of the correctional population.

Given this trend, the next obvious research questions will be: Are these administrative positions and task forces necessary? Are they effective? And how can effectiveness be measured? Although the long-term answers to these questions are unknown, it is certain that state and local women's commissions can be a valuable ally and play an important role in supporting a variety of criminal justice issues. According to Theresa de Langis, executive director of the State Prison for Women, "The New Hampshire Commission on the Status of Women is about equity and parity for women--all women--including the least among us. That includes incarcerated women."

ENDNOTES

(1) The New Hampshire Executive Council has the authority and responsibility, together with the governor, to monitor the administration of the affairs of state as defined in the New Hampshire Constitution, the state statutes, and the advisory opinions of the state Supreme Court and attorney general. One duty of the executive council is that it must approve all receipts and expenditures for all state agencies, including donations to these agencies.

(2) This report can be found at www.nh.gov/csw/pdf/double_jeopardy.pdf.

Marilyn C. Moses, MS, is a social science analyst for the National Institute of Justice. Ellen Kirschbaum is the former administrator of women's services for the Arizona Department of Corrections. She currently is a program manager for the Arizona Supreme Courts' Administrative Office of the Courts.

Table 1. Directors of Female Offender Services

Arizona
Position vacant

Bureau of Prisons
Dawn Zobel
Female Offender Program Administrator
Federal Bureau of Prisons
Dzobel@bop.gov

California
Wendy Still
Associate Director
Women and Children Programs and Services
Adult Institutions
California Department of Corrections and Rehabilitation
wendy.still@cdcr.ca.gov

Georgia
Brenda Davis Murrell
Director of Female Services
Georgia Department of Corrections
Murreb00@dcor.state.ga.us

Idaho
Janet Guerin
Director of Women's Programs
Idaho Department of Corrections

jguerin@idoc.idaho.gov

Indiana
Dana Bank
Director of Female Programming
Indiana Department of Corrections
dblank@doc.in.gov

Illinois
Debbie Denning
Deputy Director of Women and Family Services
Illinois Department of Corrections
Decatur Correctional Center
ddenning@idoc.state.il.us

Massachusetts
Michelle Donaher
Director, Division of Female Offender Services
Massachusetts Department of Corrections
Madonaher@doc.state.ma.us

Michigan
Nancy Zang
Special Administrator/Female Offender Programs
Michigan Department of Corrections
zangnl@michigan.gov

Minnesota
Position eliminated

Missouri
Julie Boehm
Women's Program Administrator
Missouri Department of Corrections
Julie.boehm@doc.mo.gov

New Hampshire
Administrator of Women Offenders and Family Services

Currently recruiting

New Mexico
Helen Carr
Deputy Director of Female Services
New Mexico Corrections Department

North Carolina
Position eliminated

Utah
Annabelle "Belle" Brough
Director, Special Projects
Utah Department of Corrections
abrough@utah.gov

Vermont
Jill Evans
Women Offender and Family Services
(with the agency of human services)
Vermont Department of Corrections

Jille@doc.state.vt.us

Washington
Alice Payne
Prisons Administrator (Central)
Washington Department of Corrections
apayne@doc1.wa.gov

Table 2. States With Commissions That Have Addressed Female Offender Issues

- * California
- * Connecticut
- * Florida
- * Iowa
- * Maryland
- * New Hampshire
- * Oklahoma
- * Rhode Island

Figure 1. Responsibilities of the New Hampshire Administrator of Women Offenders and Family Services

The administrator may:

- * Establish goals and objectives for state correctional systems within the framework of the department's philosophy, including planning, organizing, implementing, directing and monitoring state gender-responsive programs and services, as well as developing policies, procedures and standards for the provision of such programs and services. The administrator shall participate in the development, implementation and review of all policies, directives and standards that involve supervision of women offenders. The administrator shall also coordinate continuum and continuation of gender-responsive services to women offenders moving from one setting to another and reentering their communities.
- * Write standards for, execute and monitor all nonclinical contracts with service providers who work exclusively with women offenders. The administrator shall review and provide feedback on an ongoing basis on all clinical contracts and services for women offenders regarding consistency with contract language and gender-responsive principles.
- * Establish and coordinate partnerships, and maintain working relationships within the department of health and human services, with other government agencies, with communities, and with community-based organizations, volunteers, advocacy groups, the academic community and other external stakeholders.
- * Provide supervision and technical assistance to the women's facility warden and field managers regarding issues related to women offenders and gender-responsive programs, services and practices. The administrator shall provide input into the evaluations of other facility wardens, field managers, and personnel relative to their roles in the supervision and provision of services for women offenders.
- * Provide input regarding necessary data collection and evaluation to measure effective programming and supervision of women offenders.

The administrator shall consult with and provide input with other directors regarding appropriate levels of staffing in both the field and institutions responsible for the management of women offenders. The administrator shall also confer with and make recommendations to the commissioner regarding women offender supervision and services; oversee the planning, development and implementation of training guidelines for staff working with women offenders; and recommend changes in duties assigned to casework and security staff who work with women offenders.

* Act as a resource in cases of staff sexual misconduct involving women offenders and provide input into personnel actions for addressing misconduct involving staff who work with women offenders and misconduct involving women offenders.

The administrator shall:

* Prepare budget recommendations regarding women offenders' program services consistent with the departmental budget cycle. The administrator shall also engage in budget formation, grant applications and resource allocation activities related to women offenders as assigned.

* Act as liaison to the interagency coordinating council for women offenders and the department of corrections.

Source: Senate Bill 262

Figure 2. Composition of the New Hampshire Interagency Council on Women Offenders

- * One member of the governor's office, appointed by the governor
- * One member of the senate, appointed by the president of the senate
- * One member of the house of representatives, who shall be knowledgeable about county corrections, appointed by the speaker of the house of representatives
- * The executive councilor representing district 5/Goffstown
- * The commissioner of health and human services, or designee
- * The director of the division of children, youth and families, or designee
- * The attorney general, or designee
- * The chief justice of the supreme court, or designee
- * The commissioner of the department of education, or designee with knowledge of Title IX, Carl Perkins Grants and other federal funding sources
- * One member from the Hillsborough County government, appointed by the New Hampshire Association of Counties
- * One former inmate of the state prison for women who is no longer under correctional supervision, appointed by the governor
- * A representative from the New Hampshire Commission on the Status of Women, appointed by the governor
- * A representative from the New Hampshire Coalition Against Domestic and Sexual Violence, appointed by the governor
- * A representative from the New Hampshire Task Force on Women and Addiction, appointed by the governor
- * A representative from the Citizens Advisory Committee of the New Hampshire State Prison for Women, appointed by the governor
- * A community member with knowledge of correctional practices with particular expertise on female offenders, appointed by the governor

Source: Senate Bill 262

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